

**Notice of Allowability****Application No.**

10/673,057

**Applicant(s)**

DZIONG ET AL.

**Examiner**

Sai-Ming Chan

**Art Unit**

2416

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/4/2008.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Brenda Pham/  
Primary Examiner, Art Unit 2416

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steve Mendelsohn on January 12, 2009.

The application has been amended as follows:

#### Claims:

1. (currently amended) A method for determining a new restoration path corresponding to a new primary path for a new service in a mesh network having a plurality of nodes interconnected by a plurality of links, the network having one or more existing primary paths and one or more corresponding existing restoration paths for one or more corresponding existing services, the method implemented by a network manager for the mesh network and comprising:  
generating, by the network manager, a path cost for each of a plurality of candidate restoration paths associated with the new service, wherein the network manager is implemented in one or more nodes of the mesh network; and  
selecting, by the network manager, the new restoration path for the new service based on the path cost for each candidate restoration path, wherein generating the path cost for a candidate restoration path comprises:  
determining, by the network manager, for each link  $Li$  of one or more links in the candidate restoration path, a set  $B-Li$ -set of links in the one or more existing primary paths that are already protected by link  $Li$ ;  
determining, by the network manager, for each link  $Li$ , a set  $I-Li$ -set of links in the set  $B-Li$ -set that are also in the new primary path;  
calculating, by the network manager, for each link  $Li$ , a link cost  $Cost\_Li$  based on the set  $B-Li$ -set and the set  $I-Li$ -set; and  
calculating, by the network manager, the path cost based on a sum of the one or more link costs  $Cost\_Li$ .

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2. (currently amended) The invention of claim 1, wherein the set *I-Li-set* is determined from an intersection of the set *B-Li-set* and a set *P-set*, wherein the set *P-set* is a set of links in the new primary path.

9. (currently amended) A network manager for a mesh network having a plurality of nodes interconnected by a plurality of links, the network manager adapted to ~~determine~~ determining a new restoration path corresponding to a new primary path for a new service in the mesh network, the network having one or more existing primary paths and one or more corresponding existing restoration paths for one or more corresponding existing services, wherein:

the network manager is implemented in one or more node of the mesh network;

~~the network manager is adapted to~~ generates a path cost for each of a plurality of candidate restoration paths associated with the new service; and

~~the network manager is adapted to select~~ the new restoration path for the new service based on the path cost for each candidate restoration path, wherein the network manager generating the path cost for a candidate restoration path comprises the network manager:

determining, for each link *Li* of one or more links in the candidate restoration path, a set *B-Li-set* of links in the one or more existing primary paths that are already protected by link *Li*;

determining, for each link *Li*, a set *I-Li-set* of links in the set *B-Li-set* that are also in the new primary path;

calculating, for each link *Li*, a link cost *Cost\_Li* based on the set *B-Li-set* and the set *I-Li-set*; and

calculating the path cost based on a sum of the one or more link costs *Cost\_Li*.

### *Conclusion*

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Sai-Ming Chan whose telephone number is (571) 270-1769. The Examiner can normally be reached on Monday-Thursday from 8:00 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/Sai-Ming Chan/  
Examiner, Art Unit

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January 14, 2009

/Brenda Pham/

Primary Examiner, Art Unit 2416